

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>3/29/06</u>		2 Serial/Patent # <u>09/685/38</u>									
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<input checked="" type="checkbox"/>	Petition <u>1464</u>		<u>3/28/06</u>	\$ <u>130.</u>							
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	Overpayment	<input checked="" type="checkbox"/> Credit Deposit A/C #:									
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
<u>The petition is dismissed as moot</u>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Irvin Dingle</u>		TITLE: <u>PARA/cgr</u>									
SIGNATURE: <u>[Signature]</u>		PHONE: <u>(571) 272-3210</u>									
OFFICE: <u>Petitions</u>											
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APPROVED: <u>[Signature]</u>		DATE: <u>3/30/06</u>									

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OFFICE OF PETITIONS

PATENT
P56181

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JU-HEON LEE

Serial No.: 09/685,138

Examiner: HUYNH, KIM NGOC

Filed: 11 October 2000

Art Unit: 2182

For: PORTABLE INTEGRATED CIRCUIT MEMORY DEVICE FOR USE WITH
UNIVERSAL SERIAL BUSPETITION UNDER 37 C.F.R. §1.313(c)(2)**Mail Stop: Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile No.: (571) 273-0025

Sir:

Pursuant to 37 C.F.R. §1.313(c)(2) and 37 CFR §1.97(a), Applicant respectfully petitions the Commissioner to withdraw the above-captioned Application from issue in order to enable the Examiner to consider Applicant's simultaneously filed Request for Continued Examination pursuant 37 C.F.R. §1.114 and Applicant's Information Disclosure Statement filed simultaneously herewith.

Adjustment date: 03/30/2006 CKHLOK
03/29/2006 JADD01 00000060 09685138
02 FC:1464 -130.00 OP

Repln. Ref: 03/30/2006 CKHLOK 0009133700
DAH:024943 Name/Number:09685138
FC: 9204 \$130.00 CR

Folio: P56181

Date: March 28, 2006

I.D.: REB/fw

**CERTIFICATE OF FACSIMILE
TRANSMISSION**

I hereby certify that, on March 28, 2006, this correspondence is being facsimile transmitted to the U.S. Patent & Trademark Office, Office of Petitions. (Facsimile No. **571-273-0025**)

Total 19 sheetsfor Robert E. Bushnell
Reg. No. 27,774

PATENT
P56181**STATEMENT OF FACTS**

1. Applicant subsequently timely paid the Issue Fee on the 3rd of October 2005.
2. Today Applicant is filing an Information Disclosure Statement, PTO-1449, together with thirty-eight (38) foreign patent and non-patent references cited by Chinese Intellectual Property Office during examination of corresponding Chinese patent application CN00124847.2 and CN200410011888.5, as well as by Taiwan Intellectual Property Office during corresponding Taiwanese patent opposition No. 89119724P01, opposition No. 089119724P02 and opposition No. 089119724P03, and consequently, the fee of \$180.00 is not incurred under 37 C.F.R. §1.97(c)(2) and §1.17(p).
3. Pursuant to 37 C.F.R. §1.313(c)(2), applicant is filing (i) this Petition To Withdrawal this Application from Issue under 37 C.F.R. §1.313(c)(2), (ii) the incurred fee under 37 CFR §1.17(h) of \$130.00, (iii) a Request for Continued Examination under 37 CFR §1.114(a)(1), (iv) the incurred fee under 37 CFR §1.17(e) of \$790.00, (v) the Information Disclosure Statement, and (vi) the Patent reference from the People's Republic of China cited in the Chinese Office action. A fee of \$1,100.00 (**Check #50623**) is today being filed in the Patent & Trademark Office together with the Petition and the Information Disclosure Statement.
4. Based upon the timeliness under 37 CFR §1.97(e)(1) of this filing of the

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accompanying Information Disclosure Statement and the thirty-eight (38) foreign patent and non-patent references cited in the Chinese Office actions and Taiwanese patent oppositions, together with Applicant's Request for Continued Examination under 37 CFR §1.114(a)(1), no fee pursuant to 37 C.F.R. §1.97(d)(2) and 37 C.F.R. §1.17(e) is believed to be due; should this fee be due however, the Director is authorized to charge Deposit Account No. 02-4943 and to so notify Applicant's undersigned attorney.

PATENT
P56181**RELIEF REQUESTED**

The Commissioner is therefore, respectfully requested to:

- A. Withdraw the above-captioned application from issue;
- B. Accept the accompanying Request for Continued Examination;
- C. Provide the Examiner with the complete copy of applicant's Information Disclosure Statement;
- D. Allow the Examiner to consider the accompanying Information Disclosure Statement;
- E. Grant such other and further relief as justice may require.

Respectfully submitted,



Robert E. Bushnell
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N. W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Enclosures: (i) this Petition To Withdrawal this Application from Issue under 37 C.F.R. §1.313(c)(2);
(ii) the incurred fee under 37 CFR §1.17(h) of \$130.00;
(iii) a Request for Continued Examination under 37 CFR §1.114(a)(1);
(iv) the incurred fee under 37 CFR §1.17(e) of \$790.00;
(v) the Information Disclosure Statement;
(vi) thirty-eight (38) foreign patent & non-patent references cited in PTO-1449; and
(vii) Check #50623 in amount of \$1,100.00

Folio:P56181
Date:3/28/06
I.D.: REB/fw